

CHAPTER NO. 124

HOUSE BILL NO. 260

By Representative Buck

Substituted for: Senate Bill No. 876

By Senator Burks

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 33, relative to the seizure and forfeiture of certain property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-33-204, is amended by deleting the first sentence in subsection (a) and substituting instead the following:

(a) Once personal property is seized pursuant to an applicable provision of law, no forfeiture action shall proceed unless a forfeiture warrant is issued in accordance with this section by a general sessions, circuit, criminal court or popularly elected city judge.

(b) Tennessee Code Annotated, Section 40-33-204, is further amended by adding the following sentence to the end of subsection (a):

As used in this subsection, "popularly elected city judge" shall mean a licensed attorney who is elected to the office of city judge pursuant to Title 16, Chapter 18, Part 2.

SECTION 2. Tennessee Code Annotated, Section 40-33-204, is further amended by adding the following new subsection to be appropriately designated:

(_) Upon the request of any general sessions, circuit, criminal court or popularly elected city judge, the Administrative Office of the Courts shall provide a cassette tape recorder for the purpose of recording the hearing on the application for a forfeiture warrant. As used in this subsection, "popularly elected city judge" shall mean a licensed attorney who is elected to the office of city judge pursuant to Title 16, Chapter 18, Part 2.

SECTION 3. Tennessee Code Annotated, Section 40-33-215, is amended by deleting subsection (e) in its entirety.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 12th day of May 1999


DON SINDQUIST, GOVERNOR